Testimony of Margaret Watt before the General Law Committee
In support of / with comments on HB5434

2/23/23

Sen. Maroney, Rep. D'Agostino, Sen. Fonfara, Rep. Brown, Sen. Cicarella, Rep. Rutigliano and distinguished members of the Committee:

My name is Margaret Watt. I am a resident of Norwalk and have been working in behavioral health leadership roles in Region 1 for 10 years, currently focusing on substance misuse prevention. I am also a parent of two boys, ages 18 and 20. Thank you for your work to strengthen CT's cannabis law, aka RERACA, in ways that will help consumers make informed decisions and will protect children and youth.

Prevention surveys in CT show that both youth and adults have low awareness of the risks of cannabis, particularly to children and teens, and that many adults are unaware of how strong today's cannabis products are, particularly when used in concentrated forms. National poison control center data show a concerning increase in calls regarding cannabis consumption, particularly by children. For these reasons, **it is critical to require clear product labeling and health warnings on all products, as indicated in points 1, 2 and 13 of the proposed bill. It's also important to put child-proof containers in statute (which are already in the DCP regs), as in point 11 of the bill.**

From a prevention perspective, **I support the effort to ensure parity across substance use laws (points 2, 6 and 9 of the proposed bill).** We require Health Warning Labels for alcohol and nicotine; we should do so for cannabis. Where we prohibit alcohol consumption, we should prohibit cannabis consumption. We require alcohol/DUI-related education as part of driver's ed; we should require information about today's cannabis products and law as part of that education. Ensuring that our substance misuse prevention laws are consistent will help consumers, retailers, and compliance officers to understand and follow the laws. **One area this bill does not address is the disparity in the RERACA provisions related to underage cannabis possession (where there are essentially no consequences) compared with underage alcohol possession (where there is a referral, a fine, and a temporary impact on driver's license).**

I ask you to also consider the following with regard to points in the bill:

Regarding Point 1 ("Establish a cap on the amount of THC present in a single serving"):
● The THC potency (as a percentage, not in grams) is already capped in RERACA at 30% for plant products and 60% for concentrated products. However, pre-filled vapes are exempted from the cap despite being popular among teen and young adult users. Young people in our local towns have passed out, been hospitalized, and/or developed psychosis from using vaporized products that can be almost pure THC. **Please close the loophole around pre-filled vapes.**

- RERACA establishes 5mg as the amount constituting a single serving for edibles and allows multiple-serving size products as long as each serving is "demarked." In a recent local environmental scan conducted in Westport, a yoga shop was found to be selling cannabis gummies that contained 15mg of THC each, or 3 servings. It is unrealistic to demarcate a gummy and even more unrealistic that anyone would eat one-third of a gummy. This bill language seeks to ensure that each THC product contains no more than the allowed amount in a single serving. **Please consider additionally requiring each serving of edibles to be individually packaged.** It is far too easy to eat an entire bag of gummies and overdose during the lag time between consuming edibles and feeling the effects.

Regarding Points 2 and 13 related to health warning labels (HWLs), including secondhand smoke:
- The Centers for Disease Control and Prevention summarizes current research related to the risks of cannabis, including secondhand smoke, on various areas of physical health, brain development, mental health, pregnancy, and driving on [this webpage](#).
- Health Warning Labels have been shown to be most effective when they are provided using graphics, or graphics plus text. Using graphics may allow more warnings to be posted on each package and will also be comprehensible to non-English speakers. **Please ensure HWLs include graphics.**
- **Please also consider requiring a multilingual and graphic poster at point of sale providing information about cannabis potency, risks, and resources for treatment.**

Regarding Point 3 (prohibiting gasoline dealers from selling THC products):
- It makes sense to limit cannabis sales to retailers that go through the steps required to get their license and thus have a better understanding of the complexities of the RERACA law. It seems unlikely that a gas station would seek the license, so it may not be necessary to prohibit a specific type of industry.
- However, a recent environmental scan conducted in Westport found that several gas stations were selling THC products even before retail cannabis sales started without realizing it was illegal, and also found that the yoga shop selling THC edibles was confused about Delta 8 vs Delta 9 products and unaware that what they were selling was illegal. **Please provide for some form of government communication (likely DCP) to industries such as gas stations and wellness shops in order to explain the new law and provide clarification around types of products (Deltas, CBD, THC) and their legality.**

Regarding Points 4 (delaying retail sales) and 10 (banning edibles):
- These are now likely a moot point, since retail cannabis sales have already begun. Furthermore, it seems hard to justify banning edible versions of a product the state has deemed legal. **It may be more appropriate to ban edibles that are in the form of snacks or sweets (candies, treats) since these may appeal to children.**

Regarding Points 7 (repealing certain restrictions on stop and search) and 4 (Drug Recognition Experts):

- Driving under the influence of any substance is a risk to driver, passengers, other cars and the public. [Last year's report](#) by the Insurance Institute for Highway Safety found that car crashes with injuries and car crashes with fatalities both increased in states that had legalized marijuana. **Impaired driving is a real risk to public safety, so law enforcement needs to have the ability to stop cars with a suspected driver under the influence to assess the level of risk.**
- RERACA is inconsistent with the state's alcohol policy when it comes to traffic stops for violations that are clearly visible. If a driver is seen holding a beer, they can be stopped, but if they're holding a joint, they cannot. One reason is that a driver who is seen to be vaping may be under the influence of nicotine, not cannabis–something the officer would need to assess. A more important reason is the real fear, based on past history, that minorities may be targeted disproportionately for these stops and have their car searched. **It will therefore be critical to put multiple safeguards in place, such as, for example:**
    - Train more Drug Recognition Experts to be able to conduct these stops
    - Traffic stops for suspected DUIs should focus on assessing whether the driver is in fact impaired, not on searching the car
    - Data could be gathered and analyzed regularly to determine any racial or ethnic disparities
    - The penalties for DUIs could be reconsidered, recognizing that the most important thing is to take an impaired driver off the road rather than criminalize the behavior (unless the behavior is repeated or egregious)

Thank you for your efforts to amend the law in ways that strengthen public health and safety.